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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRISKIT, INC.,

No. C 03-5085 WWS (MEJ)

Plaintiff,

**ORDER RESERVING JUDGMENT ON
MOTION TO COMPEL DE-DESIGNATION
OF EVIDENCE AS CONFIDENTIAL
PENDING THE OUTCOME OF
DEFENDANT'S MOTION TO DISMISS
CURRENTLY BEFORE JUDGE
SCHWARZER**

vs.

REALNETWORKS, INC., and
LISTEN.COM.,

Defendants.

On March 8, 2006, the parties submitted a joint letter brief regarding Defendant's request to de-designate evidence confidential. On March 30, 2006, the Court held a hearing on the matter. Based on the documents submitted to the Court and oral arguments at the hearing, the Court HEREBY RESERVES JUDGMENT on the matter pending the outcome of Defendant's Motion to Dismiss, currently before Judge Schwarzer.

IT IS SO ORDERED.

Dated: March 30, 2006



MARIA ELENA JAMES
United States Magistrate Judge